

## COURT AFFAIRS

### 6-YEAR SENTENCE AGAINST HENRY

Broker's Second Appeal In Embezzlement Case Fails.

Part William Henry, Washington broker and ex-convict, was sentenced to six years in the Federal penitentiary for embezzlement of \$4,000, the mother of the latter, according to the decision of the Court of Appeals yesterday.

Conviction Set Aside. Henry was first convicted of the offense in 1915, one year after his arrest in the case. He was released on appeal. He appealed the Appellate Court set aside his conviction on the ground that the government had failed to set forth the value of the certificates in the indictment. The court held that the indictment was sufficient and the conviction was affirmed.

Demanded Retrial. The accused refused this opportunity to avoid a penitentiary sentence and demanded a retrial. At the second trial, the government showed that the certificates were worth \$4,000, and Henry was sentenced to six years in the penitentiary. He appealed again, and the Appellate Court set aside his conviction on the ground that the government had failed to set forth the value of the certificates in the indictment. The court held that the indictment was sufficient and the conviction was affirmed.

## D.C. School Budget Passed to Mellon

The District emergency school budget for the erection of buildings and the purchase of sites to overcome the present congested conditions, was passed upon finally by the District Commissioners yesterday and is now in the hands of Secretary of the Treasury Mellon.

Superintendent Ballou conferred with the Commissioners yesterday and the budget and the estimated immediate needs were whittled into final shape at the board session yesterday afternoon.

## Low Pay Compels Food Inspector to Quit His Position

Declaring that he is unable to buy food and other necessities of life for the \$1,000 a year which he is paid for serving as Food Inspector for the District of Columbia, Joseph J. Schumb, has tendered his resignation to the Health Department, effective May 10.

## OYSTER 'MILLION' TOTALS \$87,337

Liabilities on Dairyman's Estate are Reckoned at \$61,268.76

The supposed \$1,000,000 fortune of George M. Oyster, Jr., dairyman and horse breeder of this city, who died April 12 at Atlantic City, N. J., was substantially reduced yesterday when the petition for probate of his will was filed in the office of the Register of Wills.

The petition, signed by Edwin C. Boring as executor, shows the total value of the Oyster estate to be \$87,337.36, exclusive of any indebtedness. Of this amount, the widow, Mrs. Oyster, is entitled to \$1,000,000, including the value of her dower or other interest in the estate.

Mr. Oyster, who was 72 years of age when he died, left personal property, including his collection of paintings and art objects, household effects, silverware and linen, valued at \$20,000. His 55 per cent interest in the dairy business, under the name of "George M. Oyster, Jr., Cheateau Farms Dairy," is valued at \$128,600.32. The aggregate indebtedness of the estate is given at \$61,268.76, including amounts due the government as income tax and liabilities against his interest in the dairy business.

U. S. is now conceded that Mrs. Oyster will gain nothing if she can sue her husband's estate for renouncing this bequest and insisting on her lawful share of the estate.

## SUPREME COURT FREES NEWBERRY OF FRAUD CHARGE

Gives Michigan Senator Seat Contested for by Henry Ford.

The decision of the Supreme Court yesterday freeing Senator Truman H. Newberry of Michigan, in which it was held Congress is without power to regulate primary elections, will result in an immediate attempt to amend the Constitution so federal control may be extended to the nominating conference.

Senator Hiram Johnson, of California, announced he will propose such an amendment this week. He would amend the Constitution to regulate all primaries in which there are candidates for federal office.

Urgent Regulations. Senator William E. Borah of Idaho, believes it should be made clear that by "election" the Constitution refers to primaries, general elections, and everything connected with them.

A similar opinion was expressed by Senator William S. Kenyon of Iowa, chairman of the committee on the Judiciary, who is in charge of the bill.

The court, in ruling on Newberry's appeal, held unconstitutional sections of the corrupt practices act of 1910, limiting the amount of money a candidate might spend in his campaign. Newberry was indicted with a number of others in November, 1919. Subsequently he was sentenced to two years imprisonment and a fine of \$10,000. Sixteen other persons, including Mr. Ford, were also tried by the Supreme Court's decision.

May Serve Term. Newberry was a candidate against Henry Ford. He is now at liberty to serve out his term in the Senate unless that body refuses to seat him. The election has been under investigation, and this investigation will be renewed, according to Senator Selden P. Spencer, of Missouri, chairman of the subcommittee having in charge the case.

The decision of the court is reversing the lower tribunal was unanimous. But the vote on the question of the constitutionality of the corrupt practices act was five to four.

DETROIT, May 2.—Senator Newberry, when informed that his sentence had been set aside by the Supreme Court, said he was greatly relieved. The Senator said he would take his seat in the United States Senate.

POSTAL SERVICE TO STUDY RATES

Series of Tests Planned to Fix Pay to Railway Systems.

New schedules of pay to railroads for carrying United States mail probably will result from a series of tests to be conducted through the period June 1, by order of the Interstate Commerce Commission, to determine the average number of parcels and sacks of parcels which occupy three cubic feet of space in cars.

The dates of the tests were announced yesterday following a conference between Second Assistant Postmaster General Shaughnessy and fifteen superintendents of the railway mail service and the railway mail pay committee. The tests are to be made every two years.

All the leading systems of the country were represented at the meeting, which was addressed by Postmaster General Hays. He emphasized the necessity of a spirit of co-operation in administration of the postal service and described the railway mail service as "the jugular vein of the postal service." The railroad representatives pledged co-operation.

Divisional superintendents of the railway mail service and the national executive committee of the Railway Mail Association (the employees' organization) will meet at 2 o'clock this afternoon to discuss questions relating to working conditions in the service. In this meeting nearly 21,000 postal clerks are concerned.

BIRTHS.

White.

Eppa T. and Grace M. Edwards, boy.

Joseph and Mary Chillum, boy.

Clarence M. and Jessie E. Jense, boy.

Hilday M. and Ida E. Neale, boy.

Henry A. and Marion E. Kahert, girl.

George L. and Olga Balch, girl.

Carl L. and Margaret Tanager, girl.

Edward E. and Edna E. Miller, boy.

Thomas S. and Helen E. Nutwell, boy.

Orp F. and Ethel R. Stargis, girl.

Sherry and Bonita A. Stein, boy.

Willie E. and Daisy E. Sumter, boy.

Andrew M. and Mary L. Duffin, girl.

Frank A. and Mary Connolly, girl.

John V. and Lillian M. Haplin, girl.

Floyd E. and Alma N. Youm, girl.

Clyde M. and Julia Morrison, boy.

Colored.

Benjamin and Othelia Braxton, boy.

George and Inny Mitchell, boy.

George N. and Jennie Brackett, boy.

DEATHS.

White.

Sallie C. Buchanan, 89 years, Landon Home, 1241 12th Street N. W.

Yeta Roseberry, 86, 1705 6th St. N. W.

Lucy Hall, 71, 1238 Irving St. N. W.

Wm. Hall, 71, Wash. Asylum Hospital.

Peter J. Rogers, 50, 422 5th St. N. W.

Willard Pracker, 62, 1732 8th St. N. W.

Sarah Riegwood, 81, Georgetown U. Hosp.

Matthias Blum, 64, 2120 6th St. N. W.

Fannie Haverst, 49, Casualty Hospital.

Nellie B. Mungum, 62, 151 D St. N. W.

Thomas Tucker, 84, 208 12th St. N. W.

Ameydell Giffen, 64, Emergency Hospital.

Edward Armering, 17, Geo. Wash. U. Hosp.

Infant of Sherman A. and Gertrude I. Hilder, 4 hours, Stillborn Hospital.

Colored.

George W. Hawkins, 61 years, 2811 Dunbar Ave. N. W.

Offered College Presidency.

DANVILLE, Va., May 2.—Rev. James Craft, professor of theology at Shorter College, Rome, Ga., has been offered the presidency of Averett College and is here looking over the situation. He is a young man with an M. A. degree from Harvard, full graduate of Mercer, and also of the Southern Baptist Seminary at Louisville. Announcement of his acceptance is expected in a few days.

## Extra Police Keep Eyes on Prisoner

Arnstein May Get Decision of Jury Some Time Today



JOHN KELLY. Extra precaution was taken yesterday by Maryland police to guard John Kelly, whose trial on the charge of murdering Francis M. Hallowell during a bank robbery at Sandy Spring, opened at Frederick. Kelly was brought from Baltimore under heavy guard, who kept close watch on the prisoner during the court proceedings. Shortly after his arrest Kelly escaped from the Baltimore jail. When re-arrested at Toledo he made another attempt to gain his freedom, but was discovered and removed in an auto patrol.

## KELLY IDENTIFIED BY EIGHT IN COURT AS BANK ROBBER

CONTINUED FROM PAGE ONE

Kelly is well guarded. Officers well aware of Kelly's faculty of escaping prison, are taking no chances. There are always on duty about twenty officers from Frederick and Montgomery counties, with several members of the State police force. Kelly is being defended by C. S. Patterson, Philadelphia, and J. J. Santry, Baltimore.

State's Attorney Dawson is being assisted by State's Attorney Aaron R. Anders, of this county. These witnesses have identified Kelly: Miss Sallie Brooke, bookkeeper of the Sandy Spring bank; Francis Miller, assistant cashier and secretary; Jesse Marlow, who lives near Sandy Spring; John H. Wilson, Howard County; John C. Quaker, Howard County; Mrs. Vivian Cuff, Howard County; John Cuff, Montgomery County; and A. G. Dorsey, negro, living near Ashton. Others testifying, but who were unable to identify Kelly, were Dr. J. W. Byrd, Sandy Spring; Asa Stabler, president of the Sandy Spring Savings Bank, and A. G. Thomas, president of the Sandy Spring National Bank.

Witnesses Positive.

Of the eight witnesses who connected Kelly with the crime, two were positive they had seen Kelly in the bank with the bandit gang. The six others were positive they saw Kelly in an automobile near Sandy Spring either the day of the robbery or two days previously when Kelly is claimed the robbers visited Sandy Spring to get the "lay of the land."

In the cross-examination of Miss Brooke, Attorney Santry attempted to shake her identification of Kelly. Mr. Santry pointed to a Baltimore law student who sat beside him in the courtroom and wanted to know if Miss Brooke was confident she could identify that student five minutes later. She replied she would. In the meantime the student left his chair and his place was taken by a younger brother, who had not been aware of the change, was confident the student first indicated to her was the one who then stood before her. The two students were dressed identically alike as to linen, cravats and suits.

End of Trial Near.

It is believed that the case will be concluded tomorrow afternoon. The trial of Kelly marks the conclusion of a chapter of the investigation of a crime that aroused the entire State, especially Montgomery and Frederick counties. Three other men, Clarence P. Adams, Camden, N. J., who was convicted and sentenced to a life term, and John W. Mitchell, Philadelphia, who was likewise sentenced to a life term; and Joe Thomas Penderghast, Atlantic City, who was acquitted, were tried here last September. Kelly was scheduled to go on trial at the same time, but he escaped from the Baltimore jail a few weeks before the trial.

Mrs. WILLIMAN TESTIFIES

Declares Lydia E. Pinkham's Vegetable Compound to Be the Best Medicine for Girls and Women

Hamilton, Ohio.—"I had such awful pains in my back I could hardly stand on my feet and was never without a headache. If I walked up town I thought I would drop and many a time I felt so bad I had to go to bed and I was not able to do much of my housework. I would have hemorrhages every two weeks and dragging down pains. I had been feeling bad for the years and had two of the best doctors in the city, but I kept getting worse and only weighed 125 pounds. I saw your advertisement and I took eight boxes of Lydia E. Pinkham's Vegetable Compound Tablets, four bottles Lydia E. Pinkham's Blood Medicine and your Liver Pills and noticed an improvement right away. Now I weigh 185 pounds and feel fine. Everybody tells me how well I look and asks me what I took and I always say, Lydia E. Pinkham's Vegetable Compound, the best medicine in the world for any sickness to which girls and women are subject. I will always have a good word for your medicine."

—Mrs. JOSEPH WILLIMAN, 728 South 9th Street, Hamilton, Ohio.

## Lawyer Attacks Witness; Given 12 Hours in Jail

Counsel's Arguments Almost Complete in Bond Robbery Case.

Jules (Nicky) Arnstein and his alleged confederates in the \$5,000,000 bond robbery, who are on trial in Criminal Court No. 1 on a charge of conspiracy to bring stolen securities into the District of Columbia, will get a decision from the jury late today or early tomorrow morning.

T. Morris Wampler, counsel for the defense, stated yesterday that he will require but one hour to complete his case. Arguments on both sides will require four hours more, and Justice Gould will probably require an hour to read his charge to the jury.

By agreement between the prosecution and the defense, the fight over the admission of the alleged confession by Norman S. Bowles, one of the defendants, was called off. Assistant District Attorney John T. Dooling, of New York, and Sol. S. Myers, counsel for the National Surety Company, also of New York, were called to the witness stand yesterday as defense witnesses. Judge Marvin Rockwood, also of the National Surety Company, another defense witness, corroborated statements by Mr. Myers and Mr. Dooling relative to alleged promises of immunity, said to have been made by all of them to Bowles, David W. Sullivan and W. W. East-erday.

Attorney Wampler, who has shouldered the burden of the defense in the absence of William J. Fallon, jumped into court with a cane, suffering from two fractures ribs. A fall down a pair of steps caused the injury, Wampler stated. The trial will be resumed this morning at 11 o'clock.

## VATICAN ENVOY RUMOR SILENCED

The question of a United States diplomat at the Vatican has reached a point where it has drawn official comment from the White House. In response to the "many inquiries" on the subject, the President yesterday declared he "thought it best to answer all of them by the public statement that no consideration has been given to such a step."

And, he added, there will be no occasion to consider it unless Congress, by the enactment of law, provides for such representation.

The Vatican for years has been represented in Washington by a papal delegate, Monsignor Bonzano, who has for a long time filled that capacity. The delegation has never been formally recognized. His communications to the government have been few. He delivered Pope Benedict's peace message to the White House in 1917, but it was given the President through former Secretary Tumulty. The reply was communicated to Rome directly.

## BOARD OF TRADE LEADERS OPPOSE FITZGERALD BILL

Call Compensation Act Predatory and Confiscatory.

Directors of the Board of Trade went on record yesterday afternoon as being unqualifiedly opposed to the Fitzgerald bill, providing for compulsory workmen's compensation insurance in the District. The bill was described as "predatory, confiscatory and socialistic." The committee on insurance was directed to oppose the measure at the hearing to be given the bill by the House committee on Thursday morning.

The Board approved the recommendation by the Fine Arts Society that Mount Hamilton be chosen as the site for the Botanic Garden. A verbal report of the recent convention of the United States Chambers of Commerce was made by E. F. Colladay, national counselor of that organization.

C. Raymond Evans was chosen to succeed Cuno Rudolph, whose term as a member of the board of directors recently expired. The following were admitted to the Board of Trade membership: R. W. Ballard, Luther C. Copley, F. C. Greve, Charles T. Penna, M. M. Terrell, R. S. Jennings, John W. Kirkwood, Thomas W. Stuppfield.

## HILL DENOUNCES DRY LAW LEADER

Wayne B. Wheeler, the "dry" leader, was denounced as "the \$25,000 a year employee of John D. Rockefeller, Jr., and others, trading as the Anti-Saloon League," by Representative Hill of Maryland, in a statement yesterday.

Mr. Hill is engaged in a controversy with Mr. Wheeler as a result of the bill he introduced to repeal the Volstead act.

"Attorney Wheeler demands that I publish the names of my colleagues in Congress who favor the repeal of the liberalization of the Volstead act," said Hill. "I have no intention of gratifying his curiosity. He will learn the strength of the liberals when the votes are recorded."

Girls to Give Italian Play. "Saint Rita of Cascia" will be given tomorrow evening at Carroll Hall by the young ladies of the Church of the Holy Rosary. Dr. Aurelio Palmieri, who wrote the drama, will come from Philadelphia to supervise the performance. Some of the scenery will be furnished by the Washington Art Gallery. The Italian Ambassador will be present. Among the patrons and patronesses are Mrs. Rita Weller, Mr. and Mrs. Scaville, Mrs. F. Gatti, Mrs. L. B. Massa, Miss M. Cullen, Mrs. Paulina Beyer Velati, Mrs. J. E. Gatti, Mrs. Andrea Anselmo, Mrs. F. Le-verone, Mrs. R. McAuliffe and Victor Gatti.

## A HELPFUL HAIR HINT

A lady visiting friends says: "Parisian Sage is the best thing I have ever used to make my hair wavy, lustrous and abundant. It keeps away all dandruff and stops itching. People's Drug Store sell it with guarantee of money back if not satisfactory."

PARISIAN SAGE BEST FOR HAIR AND SCALP

## Senate Bill Asks Patriotic Classes In Schools of D. C.

Call Compensation Act Predatory and Confiscatory.

A bill introduced yesterday by Senator William S. Kenyon, of Iowa, proposes to require teaching of the Constitution of the United States in the public and private schools of the National Capital, the only city in the country over which Congress has such jurisdiction.

At least in the eighth grade and in the high schools the Constitution would become a part of the curriculum. It is lower grades than is left to the discretion of the superintendent to provide for the teaching of the historic document in other grades.

## Daughter of Admiral To Marry on Thursday

PORTSMOUTH, Va., May 1.—The marriage of Miss Mary Graham Burrage, daughter of Rear Admiral Guy B. Burrage, and William Watts Gwathmey, Jr., will take place Thursday next. Meta Burrage, sister of the bride, will be maid of honor, and Mrs. Loyal A. Davidson will be matron. Miss Essie Soles of Annapolis, Md., will be flower girl.

The best man will be Rev. Duval Gwathmey, of Wytheville, and the ushers will include Capt. Coleman W. Jenkins, Coast Artillery, Camp Eustis; Comdr. Loyal A. Davidson, Esq.; A. G. Cook, Taylor Company, of Baltimore; Fitzhugh Mayo, of Alexandria; John F. Reed, of Richmond; William Chase Grant, of Baltimore; William Gwathmey, of Nashville, Tenn.; Herbert Langston, of Alameda, Cal., and Selden Taylor, of this city.

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## Health Is What You Want

Dr. Parker and Ankers, with more than fifty successful years of experience in treating the serious ailments of mankind, extend an invitation to all invalids to call for a free examination and treatment. After we are through with you no doubt you will be as well satisfied as this gentleman.

FRANK L. ANKERS, M.D., D.C., The Modern Drugless Physician.

Here are a few of the numerous hearty endorsements we have received. This is PROOF of what we have done for others and we may do equally as well for you.

TO WHOM IT MAY CONCERN:

I had suffered with a nervous breakdown for about three months, when I first started to take treatment from Drs. Parker & Ankers. During that time I was attended at various periods by four different medical doctors and also spent one week in a hospital. I was very much discouraged and had lost about fifteen pounds in weight when I first consulted Drs. Parker & Ankers. After taking a few of their wonderful drugs and following their instructions I have regained eight pounds and feel 100 per cent improved in health. I wish to highly recommend Drs. Parker & Ankers to my friends or to others who may be suffering from poor health.

Sincerely,  
MICHAEL P. JUNGHAUS,  
810 Quincy St. N. W.

TO MY SICK FRIENDS:

This testimonial is written in appreciation of the wonderful treatment given me by Drs. Parker and Ankers. I would consider a poor sufferer may thereby find relief. I would consider it a crime if I did not tell others who are suffering, and to those who are do not fill your system with drugs or dope with the expectation of regaining your health. For years I was treated by some of the best physicians in this vicinity, but was completely discouraged when one prominent physician said I had "chronic catarrhs disease and this would be done." It was about this time that I heard of Drs. Parker and Ankers and decided to give them a trial and much to my surprise it was only a short time until I was back in health. At this date I can truthfully say that my health is better than it has been for many years. Feeling this may be instrumental in bringing health to some invalid, I am yours for health.

(Signed) JOHN A. LYLE,  
721 Duke Street, Alexandria, Va.

TO THE HOPELESS SUFFERING INVALID:

Just a word of encouragement to all invalids who have given up and lost all hope of regaining their health. For the past ten years I have been gradually growing worse under the care of the best physicians in this and other cities, and for over a year was unable to retain any solid food. The doctors who attended me, I consulted differed, and finally advised an operation as the last resort. Not being given positive proof of recovering, I would consult another. I finally became discouraged. Arrangements were being made to go to the hospital, when my husband came in and said he had not heard of any operation, but that I should be treated by the best people by drugless methods. After much persuasion I consented to consult them and much to my surprise I was informed by them I could be cured. I began taking treatment immediately. In less than a month I noticed an improvement and now I am doing all my work and consider myself a well woman. I will be glad to answer any inquiries regarding the above statements or talk with you personally.

Yours for health,  
(Signed) MRS. CLAUDIA R. NASH,  
3103 P Street N. W.

OTHERS TO WHOM YOU MAY REFER:

MR. MARTIN DODGE, 1513 O Street N. W.

MR. FRANK OWING, Assistant Cashier, Bank of Commerce and Savings, northeast corner of 7th and B Streets N. W.

MR. J. NOONAN, Proprietor, Virginia Theater and American Lunch Room, 610 8th Street N. W.

MR. W. E. STUBBS, Proprietor, 1414 14th Street N. W.

MR. J. E. BROWN, Dealer in Baiting and Oils, 7th and N Streets N. W.

MR. AND MRS. T. H. LEWIS, 1800 Park Road N. W.

MR. GEORGE W. BENTLER, Engineer, stable 12 and 14 Western Market; residence, 1241 12th Street N. W.

MR. C. N. STREET, Office Equipment, Suite 303, Real Estate Trust Bldg.

MR. C. N. NORTON, Architect, 729 5th St. N. W.

MR. BENJ. BLEETHYN, Contractor and Builder, 1803 Oregon Avenue.

MR. WALTER P. RAMSAY, Attorney, District National Bank Building.

MR. JOHN B. HUTCHINSON, 729 First Street N. W.

MR. E. D. GODFREY, 942 Westmont Street N. W.

MR. LOUIS COOK, 1414 R Street N. W.

## Dr. PARKER & ANKERS DRUGLESS PHYSICIANS

PROF. H. N. D. PARKER, M.D., D.C. FRANK L. ANKERS, D.C. PHYSICIAN.

COURS—12 M. to 5 P. M. Sundays and Holidays, 12 M. to 2 P. M. SUTHERLAND BUILDING, 1410 N STREET N. W.

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The Vacuum-Nerveless Treatment For Colored People. N. E. Robinson, R. T. N. D. 801 Florida Ave. N. E. Consultation. Exam to determine appropriate treatment FREE.

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A STRAIGHT LINE is the shortest distance between two points. In this respect it strongly resembles a "Herald Quality Want Ad." The logical link between buyer and seller, lessor and lessee, employer and employee is a "Herald Quality Want Ad"—it is the shortest distance between the two points.

THE HERALD'S "QUALITY WANTS SECTION" Is the Largest in Washington READ IT—USE IT

Washington's Newspaper

The Washington Herald

Washington's HOME Newspaper